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The Law
FORUM
Spring 1983 Volume XIII Number 2



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The University of Baltimore LAW FORUM

SPRING 1983

Volume XIII Number 2

Contents

From the Dean 2

Letter to Editor 3

Of Professional Interest

- My Son the Lawyer Doctor
by James R. Bell 4
- University of Baltimore Law Professor Selected for National Award .. 5
- University of Baltimore Law Professors Participate in the Maryland
Judicial Institute Program 6
- Faculty Colloquium on Business Organizations 6

Amnesia and the Defendant's Competency to Stand Trial: *Morrow v. State*, 293 Md. 247, 443 A.2d 108 (1982)

by Barbara R. Gathright 7

Investigation of a Criminal Case—Evaluation of the Process

by Cynthia K. Hitt 10

Recent Developments

- Vulgarity vs. Vernacular 15
- *State v. Randall Book Corp.* 16
- *Miller v. State* 16

From the Law School

- Maryland State Bar Association Mid-Winter Address
by Senator Melvin A. Steinberg, President of Maryland Senate 19
- University of Baltimore Qualifies for National Championship for
Second Straight Year 21
- University of Baltimore Wins National Client Counseling
Competition 21
- Law Placement News 22

From the SBA

Libel and Slander II: A Big Hit

by Stanley D. Janor 24



From the Dean

Dear Alumni:

We are now completing our first academic year in the Law Center. The proximity of the library, the faculty offices, the classrooms and the student activity offices produces the atmosphere we had hoped for. The Moot Court Room has become a center not only for various types of trial advocacy training courses, but it is also used for large audience lectures, student meetings and meetings of various groups both in and out of the Law School and the University community. The Maryland Institute for Continuing Professional Education of Lawyers (MICPEL), for example, regularly conducts continuing legal education programs in the Moot Court Room. The lobby adjacent to the Moot Court

Room has proven to be a good location for receptions.

This year there were seven student teams competing in different interschool regional moot court competitions. Each team is chosen after an intensive intramural competition, and each competition is advised by a faculty member. Of the seven different regional competitions, two of our teams were successful and will be going on to national competitions in the spring and summer. This is a record of which we are all quite proud.

While it is true that the job market is certainly less encouraging today than it was a number of years ago, our graduates still succeed in high numbers to obtain employment. David Ash, the Director of Placement, reviews the activities of the Placement Office in a separate ar-

ticle on page of this issue of the *Law Forum*. Applications for admission to the Law School for the class entering in the fall of 1983 are up 40% over last year, and the quality of the applicants is similarly high.

The size of the full time faculty has stabilized at 34. I believe it is a faculty of which we can be most proud. In addition to being a very effective teaching faculty, there is an increasing level of scholarship and community service, both in terms of quantity and quality. Here are some examples of the activity in the last twelve months.

(Continued on page 26.)

Letter to the Editor

Occasionally, during the production of *The Law Forum* or after the publication has been printed, there are changes in the law that affect a contributed manuscript. So it is refreshing and encouraging when we receive letters from our readers in-

forming us of a change in the law. One letter, reprinted below, was written about the article, *The Due-on-Sale and Due-on-Encumbrance Clause in Maryland*, in the last issue of *The Law Forum* (13 Law Forum 23 (1982)), and the effect of the Garn-

St. Germain Depository Institutions Act of 1982. This type of input helps us keep abreast of the ever-increasing volume of changing law. *The Law Forum* staff requests and welcomes any and all such responses to our publication.

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February 8, 1983

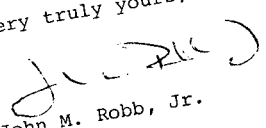
Delma W. Smith
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Dear Editor:

In regard to the Article that appeared in the Fall 1982, Law Forum, Volume XIII Number 1, by Steve Lee, which appeared on page 23. Please be advised that your Article is out-dated in view of the Garn-St. Germain Depository Institutions Act of 1982 (Public Law 97-320).

The new law allows any loan originated on or after October 15, 1982, to be declared due and payable upon the transfer of an interest in the property securing the loan. Section 341(d) specifies that a lender may not exercise its option pursuant to a due-on-sale clause upon the creation of subordinate liens or of purchase money security interests for household appliances, transfers arising by virtue of devise, descent, operation of law, divorce, death, a lease of three years or less which does not contain a purchase option, or a transfer to a trust where the borrower remains a beneficiary and which does not transfer the borrower's rights of occupancy.

State law restrictions on acceleration upon transfer of the property may still apply to some loans. Such loans are sometimes referred to as "window period" loans. In states that restricted the exercise of due-on-sale provisions (which restrictions do not apply to loans made by federal savings and loan associations) the new law creates a period of time (the "window period") for which the restriction still applies. The period begins on the date that the state due-on-sale restriction went into effect and ends on October 15, 1982. For loans originated or assumed during this period, state law restrictions on the enforceability of due-on-sale clauses will continue to apply for three years. After October 15, 1985, the restrictions will lapse unless the state legislature has acted to modify such restrictions. The law also allows the Comptroller of the Currency and the National Credit Union Administration Board to regulate window period loans originated by institutions under their respective jurisdictions.

Very truly yours,

John M. Robb, Jr.

JMR/cia